

MEMORANDUM

Agenda Item 13

DATE: July 12, 2004
TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer
SUBJECT: Commissioner Term Expirations – INFORMATION ONLY

The purpose of this memo is to provide background information about the selection process to replace members whose terms are expiring, and for action by the Commission in September relating to the public member and public member alternate recruitment process.

Government Code Section 56334 provides, "The term of office of each member shall be four years and until the appointment and qualification of his or her successor." The four year term is regardless of who serves. This means that some members/alternates have been appointed to fill the unexpired term of prior members who did not complete their full four year term. The Commission's By-laws provide that the expiration date of a term is January 1 (Commissioner's Handbook Section 1.1.3.2).

On January 1, 2005, the terms of the following Commission members expire:

| <u>Member</u> | <u>Category</u> |
|----------------|-----------------------------------|
| Jack Curtis | Special District Member |
| Ted Grandsen | Special District Member Alternate |
| Lou Cunningham | Public Member |
| Ken Hess | Public Member Alternate |

Special District Members & Alternates

Special district members and alternates are selected by the Independent Special District Selection Committee. This Committee is composed of the Board Chair, or other designated Board representative, of each of the 29 independent special districts in the County. The Committee has established its own rules and procedures for selecting members to LAFCO. A key provision of these rules and procedures is that whenever there is a vacancy for a special district member, the special district member alternate will automatically be appointed to fill the vacancy. This means that on January 1, 2005, special district member alternate Grandsen will automatically become the special district

member and there will continue to be a vacancy for the special district member alternate.

State law provides for the Executive Officer to convene a meeting of the Independent Special District Selection Committee for the purpose of selecting special district members and alternates. Alternatively, the law allows the Executive Officer to seek nominations and conduct a mailed ballot election. Due to an inability to attain a quorum for a meeting of the Independent Special District Selection Committee, a mailed ballot election has been used in the past.

The Independent Special District Selection Committee has proposed changes to its rules and procedures relating to LAFCO membership. These changes, now being reviewed and acted upon by the independent special districts, provide for mailed ballot elections to always occur and specify that everything from the nomination process through the election itself be conducted by certified mail. These are, I believe, positive changes that will clarify the election process for the districts. It will soon be known whether or not a majority of the independent special districts approve these changes to their rules and procedures.

Based on State law provisions and the latest rules and procedures of the Independent Special District Selection Committee I will be starting the process for the selection of a new special district member alternate by August 1. I expect that this will be done by mail. The first step will be a call for nominations to the 29 independent special districts. There is no formal role for the Commission in this process, but I will keep the Commission informed of my activities and the selection process.

Public Member & Alternate

The LAFCO public member and public member alternate are directly selected by the other six regular members of the Commission. The Commission's By-laws provide:

"The public member and alternate public member shall not hold two consecutive terms as the public member or the alternate public member. The intent is to rotate the public membership of the Ventura LAFCO on a reasonable basis to broadly allow qualified members of the community to serve." (Commissioner's Handbook Section 1.1.3.3)

In the past, the Commission has appointed a three member sub-committee to oversee the public member and public member alternate selection process. In brief, the prior selection process consisted of publishing display notices of the vacancies and indicating how and when to apply in Countywide newspapers, a review of the applications/letters

of interest/resumes received, interviews with the top candidates, and a recommendation to the full Commission concerning appointments.

In September, as a formal action agenda item, the Commission will be asked to start the process for the selection of a public member and public member alternate. The process used in the past has functioned well and will again be recommended, however, this will be a matter for the Commission to determine in September.